

MEETINGS TO DATE 16
NO. OF REGULARS 11
NO. OF SPECIALS 5

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LANCASTER, NEW YORK
JUNE 9, 1993

A Special Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 9th day of June 1993 at 7:00 P.M. and there were

PRESENT: ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
PATRICK C. POKORSKI, COUNCILMAN
THOMAS H. VAN NORTWICK, COUNCILMAN
LUCIAN J. GRECO, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
ROBERT H. LABENSKI, TOWN ENGINEER
JOSEPH F. REINA, TOWN ATTORNEY

PURPOSE OF MEETING:

This meeting was held for the purpose of obtaining public comments on a Draft Environmental Impact Statement (DEIS) for the proposed Fairway Hills Subdivision located on the south side of William Street, east of Bowen Road and west of Schwartz Road.

PUBLIC HEARING SCHEDULED FOR 7:00 P.M.:

At 7:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon the Draft Environmental Impact Statement (DEIS) for the proposed Fairway Hills Subdivision, a proposed residential development consisting of approximately 227+ acres in the Town of Lancaster, located on the south side of William Street, east of Bowen Road and west of Schwartz Road in said Town.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

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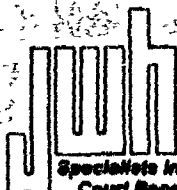
Jack W. Hunt
CSR, RPR
CEO

Kevin R. Hunt
CSR, RPR
President

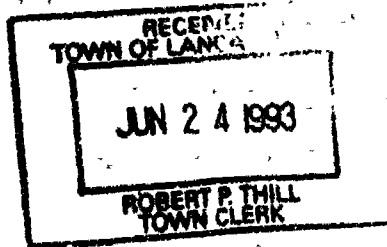
Timothy M. Hunt
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Vice-President

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FAIRWAY HILLS

(SEQRA Hearing at Lancaster Town Hall.)

Public hearing held at the Lancaster Town Hall, Central Avenue, Lancaster, New York, on June 9, 1993, commencing at 7:20 p.m., before MICHELL A. MIREK, Notary Public.

PRESENT: LIPPES, SILVERSTEIN,
MATHIAS & WEXLER,
By DEBORAH J. CHADSEY, ESQ.,
700 Guaranty Building,
Buffalo, New York 14202,

BOARD MEMBERS:
ROBERT H. GIZA, Councilman;
DONALD E. KWAK, Councilman;
ROBERT P. THILL, Town Clerk;
LUCIAN J. GRECO, Supervisor;
JOSEPH P. REINA, Attorney;
PATRICK C. POKORSKI, Councilman;
THOMAS H. VAN NORTWICK, Councilman.



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1 MR. GRECO: Okay. I guess we can begin. This
2 is a proposed development which is situated on
3 William and Bowen. What I'm going to do this
4 evening is ask the principals involved to give a
5 synopsis of the development, the size of the
6 development, what they want to entail in the
7 development, some of the pertinent details, and
8 then I will open it up to your comments.

9 We have a stenographer. Your comments will be
10 recorded. Usually we would like to keep these as
11 strictly people offering their comments in
12 relation to the proposed development. We don't
13 really want to get into a debate. Everybody's
14 opinions will be taken down, and we appreciate
15 everyone coming in to offer their opinions.

16 Remember, everyone has their own opinions.
17 Some may differ from other people. We don't want
18 to debate. We just want your comments. Debbie,
19 you want to start?

20 MS. CHADSEY: Okay. I'm the attorney for the
21 development. I'm just going to kind of bring you
22 procedurally up to date on where we are. Larry
23 Lee is here from Krehbiel Associates. They're the
24 engineers, and he'll give you a complete
25 description of the project.

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1 The end of 1992, I believe it was in November,
2 a developer of this project submitted a request to
3 the town for a site plan or sketch plan approval.
4 That triggered the New York State Quality Review
5 Act review process, which is what we're in now.

6 Some of you were here before. It was for a
7 public hearing for the scoping process in which
8 issues that were relevant were identified.
9 Responses to those issues and other considerations
10 that were identified are addressed in a document
11 called the drafting environmental impact
12 statement, which was submitted in March and has
13 been at the local high school at the repository, I
14 believe. I know that some of you have written
15 letters which I've read, so you've read the EIS.

16 The purpose of the hearing tonight is to
17 comment on that document. Ideally, to further
18 crystallize what remains a concern and what needs
19 to continue to be addressed. After this hearing,
20 all of the comments that are received will be
21 readdressed in another draft of the environmental
22 impact statement.

23 At a point that the town determines that all
24 of the issues of concern have been addressed as
25 fully as possible, the draft environmental impact

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1 statement will be finalized and you'll have a
2 final environmental impact statement. After that
3 point, there will be comment again, a written
4 comment period, and at some point a finding
5 statement will be produced by the town which sets
6 up their conclusions with respect to this project
7 and its impact. That process usually takes
8 several more months from where we are now, so for
9 your level of comfort, tonight's meeting is not
10 the end of the process, nor will decisions be made
11 shortly, within the next 30 days to a month.

12 I'm going to turn it over to Larry who will
13 discuss the specifics of the project.

14 LARRY LEE: I'm just going to give you a very
15 brief overview about the project. This site is
16 about a 227 acre parcel located south of William
17 Street between Bowen Road and Schwartz Road in the
18 southeast part of Lancaster. It's got a couple
19 thousand feet of frontage on William Street. The
20 proposed development right now entails about 202
21 acres, which is the main portion here.

22 The reserve -- what we are calling the
23 reserved area is currently outside of the county
24 sewer district area, so that is really not
25 included in this project. What is proposed for

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1 the site is single family homes. The site is
2 currently zoned AR -- agricultural/residential --
3 which permits the proposed development.

4 Thirty-one acres of the site is proposed to be
5 a private golf course for use of residents within
6 the development. Some of the other features of
7 the site are approximately six acres of federal
8 wetlands. We have performed a wetlands
9 delineation for the site. There is about
10 three-and-a-half acres of the site, mostly along
11 the road here which is in the flood plain. The
12 land was passed agricultural use or portion of the
13 lands are passed agricultural use.

14 There are some wooded areas shown here and
15 down here. There is a creek which is a tributary
16 to Little Buffalo Creek that runs through the
17 site. Let's see. Other important things to
18 consider, approximately an acre of the site is
19 being proposed to be either dedicated or turned
20 over to the town for public use, possible
21 town-related services, maybe library, fire
22 station, some of those have been -- some of those
23 ideas have been tossed about.

24 There is also about 14 acres of other
25 recreational amenities proposed for the site:

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1 Wooded areas, trails which are run along wetlands
2 areas, as well as the golf course, some potential
3 ball fields, a soccer field, baseball field.

4 In addition to that, the site has been
5 designed to hold the 100-year storm. The
6 detention ponds are proposed for within the golf
7 course area. They will serve as detention for the
8 100-year storm. These ponds will remain wet and
9 they will also serve as water hazards for the golf
10 course.

11 All the roads are designed to meet town
12 standards. There are two main entry points onto
13 William Street to help control traffic and reduce
14 the number of driveways which front on to William
15 Street. Right now the lot count is about 440 to
16 450 units. There are also some proposed
17 interparcel connectors that aren't shown on this
18 plan. This was a very early version of the plan.
19 It's similar to it but there are some stub streets
20 for potential future connection with future
21 development.

22 The sanitary sewer is proposed to be provided
23 by connection to Bowen Road. Right now there is a
24 couple alternatives out there, so that hasn't been
25 finalized yet. But they would essentially go

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1 northeast in that direction and connect at Bowen
2 Road and Little Buffalo Creek. It is going to be
3 a gravity system. There is no pump station being
4 proposed at this time.

5 Some of the environmental features I talked
6 about were about six acres of wetlands. The
7 development is, as it is planned right now, was
8 planned to avoid as much wetlands as possible.
9 It's going to impact about point eight acres.
10 Less than one acre of wetland -- federal wetlands
11 on site.

12 In addition, there were some issues raised by
13 DEC regarding use of potential northern brook
14 lamprey, which I guess was sited on this tributary
15 at one time. Not on the site or near the site but
16 down -- upstream of the site, and so there was
17 some concerns about that.

18 Some of the plans include preservation of a
19 25-foot wide buffer on either side of the creek,
20 the entire length. So that would help protect the
21 potential northern brook lamprey habitat.

22 And I think that's all I have right now. Some
23 of the issues probably that have come up that
24 you've noticed in the environmental plan
25 statement, impact statement include traffic

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1 impacts, environmental impacts, social impacts, so
2 those are the kind of things that we've dealt with
3 in the EIS and we are here tonight to take your
4 comments and, you know, what you think needs to be
5 addressed further or what kind of concerns you
6 have regarding this project. At this point we're
7 ready to take some comments, I guess.

8 MR. GRECO: Okay. Anyone wishing to speak,
9 please give your name and address so the
10 stenographer can record it. Sir.

11 ERNIE WETZEL: My name is Ernie Wetzels. I
12 live at 341 Aurora Street. What I have to say
13 does reflect on this proposed project. Mr. Greco,
14 when you were politicking, came to my house. One
15 of my main concerns was about development going on
16 in our areas, especially off Aurora Street. You
17 indicated to me at that time that you were going
18 to look at that very carefully, and I assume, kind
19 of hold down development because of the lack of
20 facilities we have in this area.

21 I don't know how many people are aware of it,
22 but all you have to do is spend some time on
23 Aurora Street to see how much traffic there is.
24 Now, those developments are going in down there,
25 and I understand since you have taken office,

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1 there are at least two more developments going in
2 off Aurora Street. These developments are not
3 even half populated yet, I'm sure.

4 Now, I've counted traffic many times sitting
5 on my porch -- I'm retired and sitting there, and
6 I can say that there is at least 6,000 cars a day
7 going by my house. It's during the daytime.
8 That's not just business hours. When traffic --
9 when people come home from work or going to work,
10 I'm talking about all day. And probably closer to
11 10,000 cars a day. Now that's considering that
12 those developments are not even half populated
13 yet.

14 On top of that, we don't have the facilities,
15 school facilities. I'm sure our water lines are
16 in suspect condition to handle this sort of
17 thing. I'm sure there will be new water lines to
18 take care of this problem to connect in. What are
19 they going to put more pressure on and what
20 pressure are they going to remove from people who
21 live here?

22 Traffic on our street, our street is in
23 horrible condition, Aurora Street. Even with all
24 this traffic, I know some people in this county
25 who say it's a county highway and there's not

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1 anything in the near future that they are
2 anticipating that's going to improve that street.
3 You drive over a couple times, you'll see just how
4 bad it is. For the traffic that we have and the
5 traffic that you're going to be increasing this
6 with, what are you going to do with that street?
7 The only solution I can see, that you're going to
8 widen it.

9 Older residents like myself and people on
10 Aurora Street are going to lose some of their
11 lawns in order to widen that street just like on
12 Como. Como had more room to do that. A lot of
13 our houses don't have.

14 Now, if you do that, you're going to increase
15 the danger to children. Right now going out of my
16 driveway on Aurora Street, sometimes I have to
17 wait five, ten minutes to get out in the traffic,
18 you know, during the busier times. Okay. I come
19 up with this, a lot of that traffic is going to
20 come down Aurora Street. It's going to make it
21 even worse.

22 The only argument I can see or that has ever
23 been given to me is that you're going to widen the
24 tax base. The taxes keep going up. Our school
25 taxes, town taxes, everything keeps going up.

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1 Now, we widened the tax base a lot already. Why
2 do our taxes keep going up? Because we've got to
3 provide schools and facilities for these children;
4 and most of these people buying these houses got
5 to be childbearing ages. We figure at least one
6 and a half children per household, and we don't
7 have enough schools based for them now, and our
8 school boards take upon themselves to sell some of
9 the facilities they had for peanuts.

10 Now we're going to build more or add on to
11 them? What are we going to do about it? I say
12 you're putting the cart before the horse. I think
13 that we should have the facilities for handling
14 the traffic. We should improve our sewer systems
15 and water systems, whatever is necessary before we
16 get into all these things. These things are only
17 compounding the problems. And who are you doing
18 favors for? Certainly not the old residents of
19 the Village of Lancaster. Certainly not. If
20 you're doing any favors for anybody, it's for
21 developers and builders, people individually. So
22 as far as we're concerned, that's a downhill.

23 Thanks for your time.

24 MR. GRECO: Okay. Anyone else? Sir.

25 PAUL DuPERNELL: My name is Paul DuPernell; I

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1 live at 304 Schwartz Road. I'm at the other end
2 of this proposal.

3 I've got several things I'd like to address to
4 the board. One of them is why are we chopping off
5 another one of our agricultural districts? We
6 seem to be taking as fast as we generate from
7 these days. We're running out of agricultural
8 land. One of the reasons I came to Lancaster
9 almost 30 years ago is because it was an
10 agricultural town; and it seems to me that the
11 town -- meaning the town fathers and others -- are
12 terribly anxious to change the rural character of
13 our town and I don't think that that's in the best
14 interest of its citizens.

15 The condition and the size of William Street
16 and Schwartz Road are very suspect. If any of you
17 have driven on Schwartz Road lately, you have got
18 to agree with me. I've lived there long enough to
19 know it's a dirt and stone road that's been oiled
20 several times. About five years with a lot of
21 prodding, the county came in and put a little skin
22 coat of blacktop on it. It lasted one winter.
23 Last winter the plows scalped off that skin coat.

24 You take a look at the northern side of
25 William Street, just opposite the entrances,

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1 you'll see where the plow has just scalped the
2 whole edge of the road right off because it's only
3 about an inch or so thick. The same thing is true
4 on Schwartz Road, another dirt and stone -- oil
5 stone road that had a skin coat put on it and now
6 it's being just pounded to pieces with the
7 traffic, particularly the truck traffic.

8 I think you ought to take a real good look
9 because I don't think you're going to get the
10 county to come through with new roads, and you're
11 going to need new roads if you are going to put
12 400 plus families.

13 I've been commuting to downtown Buffalo for
14 many many years and sometimes I use William
15 Street, sometimes I use Clinton. William Street
16 is an abomination.

17 And since they built Indian Trail and all of
18 these other developments that have already been
19 built, the traffic on William Street is just
20 horrendous. The road isn't wide enough, isn't
21 good enough and just isn't handling the traffic
22 now and certainly isn't going to handle another 4-
23 or 500 families. That's my opinion.

24 Another thing is the natural wildlife habitat.
25 Others have spoken about our habitat on some of

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1 the other properties that have come up here for
2 hearings and I want to speak on behalf of those
3 now. We've got very little land left for the
4 wildlife. You see what's happening in the Town of
5 Amherst. They put houses where the wildlife was
6 and now they're overrun with wildlife.

7 I got a personal stake in this and I probably
8 shouldn't bring it up here, but my property backs
9 up right here to this nature preserve with walking
10 trails. My wife and I have nurtured about a
11 seven-acre natural wildlife habitat ever since
12 we've lived there. I say "nurtured," we kept the
13 hunters out, we kept the snowmobilers out and
14 that's a pretty dangerous occupation. But we did
15 that purposely because we want to give the
16 wildlife a chance. Now they're going to have a
17 nature preserve with walking trials which is going
18 to infiltrate our natural wildlife habitat and
19 that's going to create a lot of damage, and I
20 don't think it's going to be the best interest of
21 the town, certainly going to be detriment to the
22 wildlife.

23 In my opinion this is too much and it's too
24 soon. Thanks very much for your time.

25 MR. GRECO: Mr. Gillmann.

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1 JACK GILLMANN: My name is Jack Gillmann from
2 the Village of Lancaster, also just happen to be
3 president of the Lancaster Taxpayers Association.
4 I'd like to take a different cut at this. The
5 number of homes you're talking about putting out
6 there is more than ten percent of the total number
7 of residential homes in the Village of Lancaster.
8 And to put that up in the short time span you're
9 talking about, I endorse with what the two
10 previous speakers said because these are all very
11 obvious things, but you as a current driver, you
12 don't have to be a rocket scientist or a
13 physicist, which I happen to be, to appreciate all
14 of the real world problems here in terms of the
15 available space, the roadways, all those good
16 things.

17 Now, the town lawyer is supposed to be in
18 touch with constituency, and when one asks why
19 does anybody want to do this, the purpose, the
20 motivation for the developers and the builders is
21 quite obvious, but surely not a member of you
22 people on the town board can have the slightest
23 doubt in your mind that if you were to take a
24 survey in this community, that your constituents
25 would be solidly against this idea. And so I

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1 wonder -- as I already said, I know why the
2 builders want to do it, I know why the developers
3 want to do it. Why do you people want to do it?
4 Why would you want to destroy the whole character
5 of this community?

6 Besides, all in one day and real world,
7 traffic problems and school problems and
8 everything else that's going to accompany this.
9 It's just too much. I said as the people said a
10 moment ago, its too much, it's too fast and I'd
11 like to know why you even want to do it. Thank
12 you.

13 MR. GRECO: Sir.

14 LEON ROBAK: Leon Robak. I live at 5306
15 William. I'm one of the close neighbors. I just
16 want to first thank Mr. Laney and Kabinski and Mr.
17 O'Neill for helping us out at the beginning of
18 this. We did speak with a group of the near
19 neighbors in December of this last year, and after
20 speaking with Mr. Purwell and his associates going
21 through the draft EIS, there are a lot more
22 questions than there are answers. Matters that
23 have been addressed, we sent two communications at
24 least to the board, the planning board, and it's
25 really not necessary to hit each of those on point

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1 by point but I want to touch on some of them.

2 General terms, the advent of development would
3 probably be both a boon and a burden to the
4 residents. The development would increase the tax
5 base and add population and may effect federal,
6 state and local revenues in the future. Sewers
7 could provide public sanitation to areas
8 previously not served in the sewer district.
9 Recreational areas would expand. The town
10 employment would expand with the need for
11 increased services.

12 Local employment would also increase in
13 response to a need for persons to put in the road,
14 do the building, sell homes, assist in residents
15 and maintenance. The proposed golf course could
16 be attractive to the new residents.

17 Unfortunately, the increase as mentioned would
18 also adversely affect the tax rates of the town.
19 Required town and county services dictates a need
20 to increase taxes to a degree to allow the
21 employment of police personnel, highway
22 maintenance personnel and operate and maintain
23 sewer facilities and recreational facilities.
24 They are the cost dictated by an increase in the
25 cost for services from a school district that have

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1 already stretched to the limit.

2 One concern in my mind is the development
3 company itself. Being a Canadian based company,
4 it doesn't appear to have any local responsibility
5 of American record. We have no track record for
6 this company. I haven't seen or heard any direct
7 answer to the question about the ability of the
8 company to complete the project should economic
9 conditions change. The Yorkton Group believes the
10 town of Lancaster is the place to build, it's
11 admirable; but based on the EIS information, it
12 doesn't appear the group considers that others
13 have planned to build or in the process of
14 building in this town.

15 The basic difficulty with the sewer stems from
16 the group's original claim, the claim to be able
17 to provide sewers to the residents along William
18 Street. The sewer is now taking a different
19 path. What would be the responsibilities of the
20 residents along William Street and in the old
21 schoolhouse subdivision? Sewers will be available
22 by virtue of being on people's lands and near
23 property line.

24 To be kind, you can only say the area roads
25 are deplorable. The EIS only deals with numbers

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1 relative to traffic volume. There are valid
2 concerns relative to road conditions, intersection
3 conditions including line of site situations at
4 both the Bowen and the Schwartz intersection with
5 William Street. There is connector road
6 considerations that have to be made. Volume and
7 signalization have not been adequately addressed.
8 I remind the board that the town is on record as
9 supporting signalization of the Bowen/William
10 intersection some four years ago. The need for a
11 new north/south corridor road will become more of
12 a reality with this subdivision.

13 House placement along William Street as
14 planned is farcical. It's not aesthetically
15 pleasing, nor does it allow or offer safety or
16 privacy for the residents in those homes.

17 The utility easements already on the property
18 and the plans for removing them are not adequately
19 addressed in the EIS. I ask that the town get
20 some form of commitment from the Yorkton Group as
21 to how the easements will be handled before the
22 building is allowed.

23 The drainage issue was outlined in the initial
24 letter to the board and that's best handled by the
25 Engineering and Building Departments. But it

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1 would appear that the drainage creek and wetlands
2 area downstream from the development would be
3 effected by both the subdivision and proposed
4 sewer construction.

5 Pete Derkowitz from Derkowitz Enterprises is
6 here to talk about his business, but I wish to
7 remind the board members about problems that you
8 gentlemen still experience because of the
9 complaints from the residents in the Lancaster
10 Speedway and the Pine Hill area. Derkowitz
11 Enterprises was not addressed in the EIS and will
12 undoubtedly need to be addressed.

13 Comments by board members relative to the care
14 and maintenance of the golf course and
15 recreational areas in the earlier S.E.Q.R.
16 hearings bring up valid questions as to a partial
17 completion option. This is not addressed in the
18 EIS and it should be as a partial completion would
19 have an adverse effect on town taxes.

20 Along the same vein, I feel it's incumbent
21 upon the board to ask the Yorkton Group for a
22 worst case scenario, should the proposed
23 Homeowner's Association not develop as planned.
24 This too would adversely effect town taxes.

25 As to the school, the EIS only addresses

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1 itself to this subdivision; and both the town
2 board and school board are aware of the number of
3 additional planned subdivisions. And to agree or
4 to believe that this subdivision would have little
5 or no effect on the school district is ludicrous.

6 The proposed lots and house sizes tend to lead
7 one to believe that the subdivision will have
8 large houses with little or no yard with some
9 exceptions. Considering the people who move to
10 this area expect to get away from close living
11 conditions, how marketable are the homes on the
12 projected lot sizes?

13 I'm not violently opposed to the sub --
14 development and I know the development in the area
15 is going to be inevitable. I feel the development
16 could be a boon if it's directed properly by the
17 town. I just don't want to see the town in a
18 situation where we as a town could be hurt. Based
19 on where these people live, they may not just ask
20 for an Elma zip code. They may secede Elma.

21 Thank you.

22 MR. GRECO: Anyone else? Sir.

23 PETER DERKOWITZ: My name is Peter Derkowitz.
24 I'm the commercial property up in the corner where
25 the subdivision's going to be developed. My

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1 concern is what happens to my company as these
2 homes arrive around our property. Our services
3 are rendered 24 hours a day in certain times of
4 the year. That means snow removal or whatever,
5 and if these homes are close to our property line
6 and we start up heavy equipment, this could cause
7 a big problem, especially if a person's building a
8 \$180,000 home and he hears heavy equipment
9 starting up for snow removal at two, three o'clock
10 in the morning.

11 I know that the town will be addressed on this
12 and it will cause a problem for our company so I'm
13 very concerned on any homes that it would be
14 adjacent around our complex and what distance will
15 be put or what buffer they'll be erecting so this
16 wouldn't cause a problem for the new homeowners.
17 That's my concern.

18 MR. GRECO: Thank you. Anyone else? Sir.

19 BRIAN FREIER: My name is Brian Freier, and I
20 live at 5394 William Street which is in the
21 northwest corner, first house come over the
22 bridge. I'm going to probably reiterate a lot of
23 the things that were spoken about, but I guess the
24 horse needs to be kicked a couple more times
25 before it's completely dead. My first area of

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1 concern I have is of course going to be the
2 traffic and especially William Street. William
3 Street in front of my house and my immediate
4 neighbors' houses over the past winter basically
5 ended up in everybody's front yard. Plows moved
6 through, the roads just deteriorated and then we
7 spent probably the good part of the early spring
8 picking up William Street and shoveling it in the
9 back of our yards or wherever we needed it. We
10 thank the county for that, but it was a present we
11 really didn't need.

12 Using the figures that the EIS had put out,
13 currently there are 117 cars during a four o'clock
14 to six o'clock peak traffic period that roll past
15 the front of my house. We anticipate -- they
16 anticipate that there's going to be an additional
17 350 cars generated through this same time period
18 which basically triples the amount of traffic in
19 this area at this particular time.

20 The corners of William and Bowen have already
21 been addressed with the fact that there will be
22 signalization. William and Schwartz Road needs,
23 in my opinion, a little bit more look at.

24 Currently now there's a blind spot when making a
25 left-hand turn off of William onto north on

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32X1

1 Schwartz.

2 There's a little knoll on the south part of
3 William -- or south part of Schwartz Road as you
4 approach William. This hill shields the
5 northbound Schwartz Road vehicles from view of the
6 vehicles on William Street. Completing this turn
7 is usually unsafe maneuver, at best. The increase
8 in traffic will only compound the potential for
9 some serious accidents at this intersection.

10 I feel that there needs to be a further in
11 depth traffic study of the entire length of
12 William Street. The gentleman over here alluded
13 to Aurora Street. Aurora and William Street right
14 now, I go through there every day on my way to and
15 from work, a little bit earlier than most people
16 would, and it's not pleasant at four o'clock nor
17 at 6:30 in the morning. One can only wonder what
18 it's like at about 5:30 and eight o'clock.

19 Although we are mostly talking about the Town
20 of Lancaster, I guess if you take it a little bit
21 further, do we as the Town of Lancaster have any
22 responsibility for the total county package and
23 what is this development and all the developments
24 in the south part of town going to also do to the
25 impact of the Town of Cheektowaga, the Lawson

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32x1

1 Road, Union Road, William Street area right now
2 with the advent of the new thruway thing. If
3 anybody's driven through there lately, you can't
4 even get off of Lawson onto Union Road to make a
5 left-hand turn on William, and that's just like at
6 seven o'clock, eight o'clock at night. What more
7 traffic is this going to do now? I realize this
8 is the Town of Cheektowaga and you can say, tough,
9 it's their problem. But I feel as a county tax
10 payer and being this is a full county project,
11 that also needs a little bit more.

12 The sewer line as they alluded to is not quite
13 up to speed. They don't know where it's going to
14 go. I have an immediate concern because of the
15 DEIS follows the drainage ditch. My property's
16 right on that drainage ditch. I'm not really
17 looking forward to a sewer line going right
18 through my property, bisecting my property during
19 a construction period of a 24-foot depth thing.
20 That's something that needs to be ironed out and
21 finalized.

22 The third area I have is the schools. There's
23 been numerous things in the paper about what the
24 school situation is. You read business first, it
25 ranked Lancaster schools 92 out of 117 schools in

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32x1

1 Western New York. I don't think that's a record
2 anybody can be proud of. I happened to go through
3 Lancaster's school system back in the mid '70s.
4 It was great. I don't know what it's like now. I
5 can only feel it's not as good as it was back
6 then.

7 The house placement along William Street has
8 been -- we've talked about that with the developer
9 a few times. Everybody seems stuck on the fact
10 that we got to have a berm along William Street,
11 some sort of fencing and all that. There were
12 numerous things that the county said that they
13 wouldn't allow driveway cuts. We've checked with
14 the county. They said there's no such rule on
15 record. One all has to do is drive up and down
16 Central Avenue in front of the high school, take a
17 look at guys out in hot tubs or what I refer to as
18 Fort Apache. I certainly don't want to live
19 across the street at Fort Apache.

20 I like the rural areas as they are right now.
21 Mr. Derkowitz and his property are the last thing
22 I'd like to get into. He's been a great neighbor
23 to me, but unfortunately I live across the street
24 from him, and his equipment is at least 500 feet
25 off of my property. I don't hear him too much in

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32X1

1 the middle of the night, but as he pointed out,
2 what is it going to be like when there's big
3 dieseling engines and that running in your
4 backyard probably about a hundred feet off your
5 bedroom window at two in the morning? I think you
6 guys would be delved with complaints rather
7 quickly and the businessman will probably end up
8 suffering.

9 While I'm not a supporter of this project, I
10 felt it had to be addressed by myself, and the
11 other town residents are contacted on this project
12 being proposed without infringing on existing
13 life-styles and the existing property owners and
14 residents. I appreciate the time you have
15 afforded me to voice my opinions. Thank you very
16 much.

17 KATHLEEN FREIER: Kathleen Freier, I live at
18 5394 William Street. The only thing I want to
19 bring up is safety for children. I have two small
20 children, we do live on William Street. There are
21 no shoulders whatsoever. There is no place for
22 kids on the street to ride their bikes and it's
23 very dangerous. And I wanted to know that
24 something will be done if this does go through
25 because there's terrible traffic now.

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32x1

1 We did bring a proposition to lower the speed
2 limit, which it has been, and the cars still go 55
3 miles an hour through there. I don't know if this
4 will change. Their haven't been too many cars
5 pulled over, from what I can see, for speeding.
6 Plus, dump trucks going through. They barrel
7 through there at 55 miles an hour. That's the
8 only thing I really am concerned about that hasn't
9 been addressed, is safety for children, because
10 there's a lot on the street.

11 Thank you.

12 MR. GRECO: Thank you. Anyone else? Sir.

13 ERV VOGEL: My name's Erv Vogel. I live at
14 232 Brunck Road. I boarder beyond more south.
15 Our house, if you look out at the back, you see
16 deer, there's been 25, 30 I've counted at times.
17 Hunting is still available in that area. Now, are
18 you going to change all the rules in the area for
19 hunting? Because I'd hate to see little kids
20 wander off in their area into an area that is
21 still available for hunting and end up being, you
22 know, shot, something like that.

23 It's -- there is a lot of wildlife, turkey,
24 it's all there, it's all going to have to change
25 if you start bringing in a residential climate. I

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32X

1 mean, you're going to be getting people in there
2 that aren't used to country living; and I've lived
3 in the area for 36 years so I -- it's an area that
4 has to be addressed. Thank you.

5 MR. GRECO: Thank you. Gentleman in the back.

6 LARRY KOMENDAT: Yes. I'm Larry Komendat. I
7 live at 514 Hall Road.

8 THE COURT REPORTER: I'm sorry. What was your
9 last name?

10 LARRY KOMENDAT: Komendat, K-O-M-E-N-D-A-T.
11 I'm a licensed hunter also and I do enjoy hunting
12 behind my property which is 1,400 feet deep. I
13 don't think I'm anywhere that close to the back
14 side of this development but there will be 500 to
15 800 children in this new development and
16 eventually they're going to be out running through
17 the countryside, through the woods. And it's
18 going to become a problem for hunting.

19 And I -- one of the reasons I built my home in
20 Lancaster eight years ago was to enjoy the country
21 and enjoy hunting in my backyard property I
22 bought, discharge firearms and be target practice
23 or whatever, and I just don't -- I'm not
24 interested in that change and it would have to
25 change. There would be no choice in this certain

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32x1

1 length of time.

2 I'm not opposed to development. I'm born and
3 raised in the city and I moved to the country. I
4 built in the country, I built my own home, but I
5 believe most of the homes in this whole district
6 were built by individuals and were not built by
7 developments. Just -- I believe that development
8 of this whole area should be a much slower pace,
9 more according to the way the people are living
10 here now. I think we're interested in changing
11 both places in one or two or three years. I think
12 it should be gradual.

13 MR. GRECO: Thank you. Ma'am?

14 MELISSA MAYDAY: My name is Melissa Mayday. I
15 live at 496 Lake. I moved to Lancaster six years
16 ago on a nice dead-end street. I've lived in
17 Cheektowaga and instead of getting away from it,
18 it's following me. Every month we hear about new
19 subdivisions going on our street. To get off of
20 Lake Avenue now to go to work is impossible. My
21 concern is traffic and it's changing the nature of
22 the area. All the deer and the turkey that are
23 behind us, we enjoy. Now there's subdivisions,
24 like I said, in every direction.

25 Trying to get to work to go downtown is

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32X1

1 impossible. You can't go down Lawson. All those
2 people that are living there are going to be
3 taking the same traffic route that I am. I don't
4 want to see the answer become big roads, turn this
5 into Transit and French and everything else; and I
6 think that should be addressed because it's just
7 coming in every direction. When we moved, we
8 thought we had a life in Lancaster. Now we're
9 looking to move out already and it's only been six
10 years.

11 There's just got to be some stop in plan for
12 this. Also maybe you can start considering bigger
13 lot sizes. These are just small subdivisions and
14 they're coming from every direction. Pretty soon
15 you're just going to see house upon house
16 everywhere and filling in, putting more roads for
17 future development and everything is going to
18 connect, and it's not going to be very pleasant to
19 live there any more. And I just wish you'd take
20 that into concern.

21 MR. GRECO: Thank you. Anyone else? Sir, in
22 the back.

23 FRED HUFF: My name is Fred Huff. I live on
24 the corner of Bowen Road and William Street. I've
25 lived there for 47 years. My brothers and I were

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1 pointed out the traffic on the corner of Bowen
2 Road and William Street, every time we hear tires
3 squeal and crash and bang, we grab a broom and
4 flashlight and go out because there's an accident.
5 It's not even taken care of right now for all the
6 people that live here.

7 Keeping up with the other projects, you've got
8 two projects on William Street between Lake Avenue
9 and Bowen Road and already they're supposed to be
10 going in. Signs are there, they're going to
11 develop that. That isn't developed. Now you want
12 to put another big one in over here.

13 Do these people need a private golf course
14 when you got Lancaster Country Club right next
15 door across the road from them practically? And
16 another thing, the old school house project which
17 went in across the street from me, I don't know
18 how many years ago was, six, seven years ago it
19 created a drainage problem on my property and on
20 the property next door and the town was good about
21 it, eventually they got around to it last year.
22 They got that straightened out, now I don't have
23 half the lake at the lower end of my property.

24 And I just want to know -- one thing that
25 really bothered me, I read the article in the

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1 paper about the people over in Orchard Park who
2 have a farm. They don't want to sell it but the
3 State or the county or the Town of Orchard Park
4 needs three quarters of an acre or something like
5 that for a catch basin, so they're threatening the
6 people with condemning their property so they can
7 take that piece of property to make their drainage
8 basin and catch basin and everything else.

9 Also, we all know naturally it's going to
10 raise our taxes. They're ripping down more
11 houses, the more the taxes are going to go up and
12 I don't really think that's right. My big
13 question is: Are we living in a Democracy or is
14 this socially? I don't think we have too much to
15 say about what's going to happen, but I don't
16 really -- (inaudible) -- give an opportunity to
17 some of the others. Thank you.

18 MR. GRECO: Jack, do you have another
19 question?

20 JACK GILLMANN: Yeah. I got a question. All
21 this attention's been given to the environmental
22 impact, however, there has very obviously got to
23 be an economic impact and I don't know if any
24 thoughts been given to an objective and credible
25 study -- economic study of what this is going to

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1 cost all the rest of the taxpayers in Lancaster so
2 that this can go on; and you know, there is --
3 there are many examples but I'll just give you one
4 that's been a thorn in all of our sides. In the
5 development at South Point, there was an agreement
6 between the two developers and their former
7 supervisor about a bridge in there. And because
8 some other problems came up and some disagreements
9 over some sewer lines, they all avoided the
10 responsibilities.

11 And that's still hanging out there, and I
12 think it's about a \$200,000 item for all the rest
13 of the taxpayers of Lancaster to pick up because
14 the developers didn't carry through on their own
15 obligations. And how can we guarantee there
16 aren't going to be similar things come up from
17 this particular traffic? But there's got to be an
18 economic impact. It's certainly something in need
19 to be studied, and at the very least I think
20 something should be done.

21 By the way, who pays for these environmental
22 impact studies?

23 MS. CHADSEY: The developer.

24 JACK GILLMANN: The developer?

25 MS. CHADSEY: Yes.

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1 JACK GILLMANN: Well, I think that that's --
2 somebody independent should be doing studies of
3 that sort because the developer has a very, very
4 direct purpose and it's hard to see that he could
5 do it in a totally unbiased fashion. So it ought
6 be done by somebody who is unbiased. You ought to
7 know before you get into it, you ought to know how
8 much this is going to cost this town.

9 MR. GRECO: Anyone else? Anyone else?

10 Do I have a motion to close the hearing?

11 MR. GIZA: I'll move.

12 MR. GRECO: Second?

13 MR. VAN NORTWICK: Second.

14 MR. GRECO: There are no other questions, the
15 hearing is now closed. Board members will be here
16 probably for a while if anybody has any comments
17 or questions on this or anything else, we'll be
18 free to talk to you about anything. Thank you.

19 (Thereupon, the hearing was concluded
20 at 7:47 p.m.)

21 * * *

22
23
24
25

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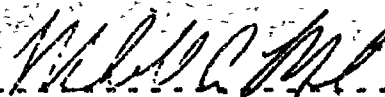
2x1

STATE OF NEW YORK)

ss:

COUNTY OF ERIE)

I DO HEREBY CERTIFY as a Notary Public in
and for the State of New York, that I did attend
and report the foregoing public hearing, which was
taken down by me in a verbatim manner by means of
machine shorthand. Further, that the public
hearing was then reduced to writing in my presence
and under my direction.



MICHELL A. MIREK,
Notary Public.

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ADJOURNMENT:

ON MOTION OF COUNCILMAN GIZA AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 7:45 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk

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